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for
OSmalls Logan
1-16-03
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark Moshayed
Appl. No. : 09/514,633
Filed : February 28, 2000
For : APPARATUS FOR STACKING
SEMICONDUCTOR CHIPS
Examiner : Jasmine Jhihan B. Clark

) Group Art Unit: 281

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) 2327, Arlington, VA 22202, on

) 12/23/02

) (Date)

) John R. King
) John R. King, Reg. No. 84,362

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RESPONSE TO OFFICE COMMUNICATION DATED
OCTOBER 2, 2002

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

This is responsive to the Examiner's Communication dated October 2, 2002. In the Communication, the Examiner confirmed that the prosecution of the Reissue Application is stayed. This confirms that the case of Simple Technology, Inc. (now known as SimpleTech, Inc.) v. Dense-Pac Microsystems, Inc. is still pending. On October 7, 2002, the Supreme Court of the United States granted certiorari, vacated the judgment of the Federal Circuit and remanded the case to the Federal Circuit for further consideration in light of Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 535 U.S. ____ (2002).

Thus, the litigation has not been terminated, and the prosecution of the Reissue Application should continue to be stayed.

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If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 12/23/02

By:

John R. King
John R. King
Registration No. 34,362
Attorney of Record
Customer No. 20,995
(949) 760-0404

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Case Docket No. SIMTECH.088RAC

Date: December 23, 2002

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In re application of : Mark Moshayed
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December 23, 2002

(Date)

John R. King, Reg. No. 34,362

UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 2327
Arlington, VA 22202

Sir:

Transmitted herewith is an amendment in the above-identified application.

- (X) Response to Office Communication Dated October 2, 2002
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

John R. King
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